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PATENT & TRADEMARK OFFICE**BEST AVAILABLE COPY**

Docket No.

1059.00051

**Declaration and Power of Attorney For Patent Application****English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**■ ANTI-ANGIOGENIC KRINGLE PROTEIN AND ITS MUTANTS**

the specification of which

(check one)

is attached hereto.

was filed on \_\_\_\_\_ as United States Application No. or PCT International

Application Number \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/121,341</u>	<u>02/24/99</u>
(Application Serial No.)	(Filing Date)
<u>60/121,633</u>	<u>02/25/99</u>
(Application Serial No.)	(Filing Date)
<u>60/166,176</u>	<u>11/18/99</u>
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

<u>PCT/US00/04798</u>	<u>02/24/00</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u> <u>(patented, pending, abandoned)</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status)</u> <u>(patented, pending, abandoned)</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

Kenneth I. Kohn, Reg. No. 30,955

Amy E. Rinaldo, Reg. No. 45,791

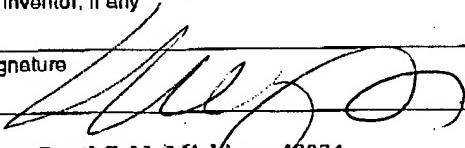
Send Correspondence to:

**Kenneth I. Kohn, KOHN & ASSOCIATES  
30500 Northwestern Highway, Suite 410  
Farmington Hills, MI 48334**

Direct Telephone Calls to: (*name and telephone number*)

**Kenneth I. Kohn (248) 539-5050**

Full name of sole or first inventor <b>Dexian Dou</b>	Date
Sole or first inventor's signature	
Residence <b>4716 Chovin, Dearborn, Michigan 48126</b>	
Citizenship <b>CH</b>	
Post Office Address <b>Same as above.</b>	

Full name of second inventor, if any <b>Michael Chopp</b>	Date
Second inventor's signature 	<b>2/5/02</b>
Residence <b>28415 Brooks Lane, Southfield, Michigan 48034</b>	
Citizenship <b>US</b>	
Post Office Address <b>Same as above.</b>	

Full name of third inventor, if any Lei Wang	<i>Lei Wang</i>	1/31/02
Third inventor's signature	Date	
Residence 45050 Thronhill Court, Canton, Michigan 48188		
Citizenship CH		
Post Office Address Same as above.		

Full name of fourth inventor, if any Tom Mikkelsen	<i>Tom Mikkelsen</i>	2/15/02
Fourth inventor's signature	Date	
Residence 7174 Woodlore Drive, West Bloomfield, Michigan 48323		
Citizenship US		
Post Office Address Same as above.		

Full name of fifth inventor, if any		
Fifth inventor's signature	Date	
Residence		
Citizenship		
Post Office Address		

Full name of sixth inventor, if any		
Sixth inventor's signature	Date	
Residence		
Citizenship		
Post Office Address		

Practitioner's Docket No. 1059.00051

**ADDED PAGE TO COMBINED DECLARATION  
AND POWER OF ATTORNEY FOR SIGNATURE BY JOINT INVENTOR(S)  
ON BEHALF OF NONSIGNING INVENTOR(S) WHO REFUSE(S)  
TO SIGN OR CANNOT BE REACHED (37 CFR 1.47(a))**

**WARNING:** "37 C.F.R. § 1.47(a) and 35 U.S.C. § 116 § 2 require all available joint inventors to file an application 'on behalf' of themselves and on behalf of a joint inventor who 'cannot' be found or reached after diligent effort" "or who refuses to 'join in an application.' " M.P.E.P. § 429.03(a), 6th ed., rev. 3 (emphasis added). See also 52 Fed. Reg. 53,131, 53,137, 203 O.G. 68 (Oct. 10, 1987).

I. I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 CFR 1.47(a) on behalf of the nonsigning joint inventor, particulars for whom are:

Full name of (first, second, etc.) Dexian Dou  
nonsigning Inventor who

- refuses to sign  
 cannot be found or reached

**NOTE:** The name of the nonsigning inventor(s) should preferably also be filled in at the appropriate prior space in the declaration, adding the words "nonsigning Inventor-completed on added page."

Country of Citizenship of nonsigning Inventor

China

Last known address of nonsigning inventor

4716 Chavlin, Dearborn, MT 48126, USA

**NOTE:** Ordinarily, the last known address will be the last known residence of the nonsigning inventor(s). A post office box is insufficient. Other addresses at which the nonsigning inventor(s) may be reached should also be given. These can best be given in the Statement Of Facts In Support Of Filing On Behalf Of Omitted Inventor. MPEP § 429.03(a), 6th ed.

II. Accompanying this declaration is:

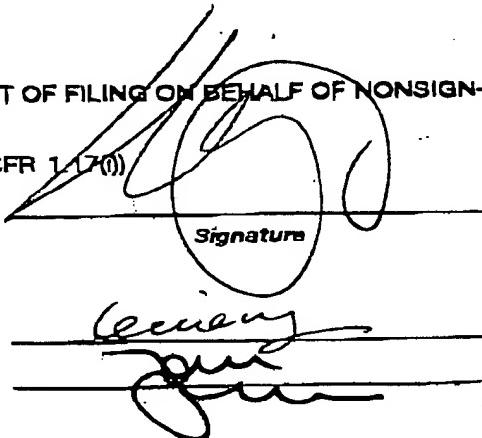
- (1) A STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR  
(2) THE PETITION FEE OF \$130.00 (37 CFR 1.17(i))

Michael Chopp

(Type or print name of joint Inventor  
signing on behalf of nonsigning  
inventor)

Lei Wang

Tom Mikkelsen

  
Signature

**(Added Page to Combined Declaration and Power of Attorney For Signature By One Joint Inventor on Behalf of Nonsigning Inventor(s) Who Refuse(s) to Sign or Cannot Be Reached [1-4]—page 1 of 1)**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Dexian Dou, et al.

Serial No.: 09/914,277

National Phase of: PCT/US00/04798

International Filing Date: 24 February 2000

For: ANTI-ANGIOGENIC KRINGLE PROTEIN AND ITS MUTANT

Attorney Docket Number: 1059.00051

**STATEMENT OF FACTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box PCT

Dear Sir:

Enclosed herewith is a Declaration and Power of Attorney For Patent Application, which has been signed by the three inventors. The signature of one of the inventors could not be obtained for the following reason:

Dexian Dou is presently on an involuntary medical leave of absence from his place of employment, which was necessitated by erratic behavior he had been exhibiting. It is not clear when, or even if, he will be returning to work. Numerous attempts have been made to reach Dr. Dou over the course of the last several months, during which Dr. Dou was requested to sign the Declaration and Power of Attorney. Dr. Dou has indicated an unwillingness to sign unless and/or until he is permitted to return to work. Dr. Dou's place of employment cannot agree to this stipulation, and therefore, Dr. Dou refuses to sign the Declaration and Power of Attorney.

Serial No.: 09/914,277  
National Phase of: PCT/US00/04798  
Attorney Docket No. 1059.00051

If is respectfully submitted that this Statement of Facts is in compliance with 37 CFR 1.47(a) and 35 U.S.C. 116, and accordingly, the present application complies with the requirements of 37 CFR 1.47(a) and 35 U.S.C. 116 for requiring signatures of all inventors.

Respectfully solicited,

Kohn & Associates



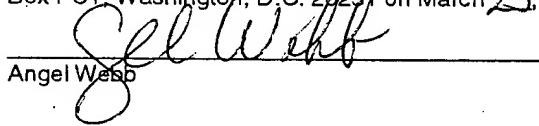
Amy E. Rinaldo  
Reg. No. 45, 791  
30500 Northwestern Hwy.  
Suite 410  
Farmington Hills, MI 48334  
(248) 539-5050

Dated: March 25, 2002

**CERTIFICATE OF MAILING**

EXPRESS MAIL LABEL: EV056055994

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231 on March 25, 2002.

  
Angel Webb